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12 UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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15 RUSSELL E. BURNS, et al.,

16 Plaintiffs,

17 v.

18 TITAN DVBE, INC., a California Corporation;  
19 WILLIAM SCHROYER, an Individual,

20 Defendants.  
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Case No.: C13-5886 SBA

**JOINT REQUEST FOR CONTINUANCE  
OF CASE MANAGEMENT  
CONFERENCE; ORDER THEREON**

Date: Wednesday, July 30, 2014

Time: 2:30 p.m.

Ctrm: 1, 4th Floor

1301 Clay Street

Oakland, California

Judge: The Honorable Sandra B. Armstrong

22 Plaintiffs and Defendants respectfully request that the Case Management Conference,  
23 scheduled for July 30, 2014, at 2:30 p.m., be continued for approximately ninety (90) days. Good  
24 cause exists for the granting of the continuance as follows:

25 1. As the Court's records will reflect, this action was filed on December 19, 2013 to  
26 compel Defendants to comply with the terms of their Collective Bargaining Agreement.

27 2. Plaintiffs served the Summons and Complaint on Defendants on January 1, 2014.  
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1           3.       An audit of Defendants' records was performed for the period July 1, 2009 through  
2 December 31, 2013, revealing a liability to Plaintiffs of approximately \$90,000.00.

3           4.       Defendants disputed the audit findings and Plaintiffs requested that Defendants  
4 provide documentation that supports Defendants' position.

5           5.       Plaintiffs agreed to extend the deadline for Defendants to file an Answer to the  
6 Complaint to allow for Defendants to provide evidence in support of their dispute of the audit and  
7 for Plaintiffs to review any such evidence.

8           6.       The only document Defendants provided was an excel spreadsheet listing payments  
9 made to Plaintiffs for unpaid contributions for the time period June 2010 through November 2010.  
10 Plaintiffs administrator confirmed that these payments did not affect the results of the audit, as the  
11 audit reveals hours unreported and unpaid by Defendants.

12          7.       Despite several requests from Plaintiffs, Defendants failed to provide any further  
13 documentation supporting their dispute of the audit findings; therefore, Plaintiffs requested  
14 Defendants file their Answer to the Complaint by June 27, 2014.

15          8.       Defendants filed their Answer to the Complaint on June 27, 2014.

16          9.       The parties are continuing to discuss the audit findings and Defendants' dispute  
17 thereof, and are attempting to resolve this matter informally.

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1           10. There are no issues that need to be addressed by this Court at the currently  
2 scheduled Case Management Conference. In the interest of conserving costs, as well as the  
3 Court's time and resources, the parties respectfully request that the Court continue the currently  
4 scheduled Case Management Conference for approximately ninety (90) days to allow sufficient  
5 time for the parties to continue to meet and confer and attempt to reach an informal resolution of  
6 this matter.

7 Dated: July \_\_, 2014

**SALTZMAN & JOHNSON  
LAW CORPORATION**

9  
10 By: \_\_\_\_\_  
Erica J. Russell  
Attorneys for Plaintiffs

11 Dated: July \_\_, 2014

**COOK BROWN, LLP**

13 By: \_\_\_\_\_  
14 Debra Hinshaw Vierra  
15 Attorneys for Defendants

16 IT IS SO ORDERED.  
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18 Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case  
19 Management Conference is hereby continued to **October 30, 2014, at 2:45 p.m.**, and all related  
20 deadlines are extended accordingly.

21 Date: 7/21/2014

  
22 THE HONORABLE SAUNDRA B. ARMSTRONG  
23 UNITED STATES DISTRICT COURT  
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